

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

CHRISTIAN ALBERTO SANTOS GARCIA,  
*et al.*,

*Plaintiffs,*

v.

ALEJANDRO MAYORKAS, *et al.*,

*Defendants.*

Case No. 1:20-cv-00821 (LMB/JFA)

**JOINT MOTION FOR ENTRY OF A BRIEFING SCHEDULE ON  
MOTIONS FOR SUMMARY JUDGMENT RELATING TO COUNTS II AND III  
(42 U.S.C. § 1983)**

The parties, by counsel, hereby jointly move this Court to set a briefing schedule for the filing of cross-motions for summary judgment on the threshold jurisdictional issue of whether Defendants Crawford, Immigration Centers of America-Farmville LLC, and Armor Correctional Health Services Inc. (collectively, “the Farmville Defendants”) are subject to suit under 42 U.S.C. § 1983 (Counts II and III of the Amended Complaint). A Proposed Order is attached hereto.

In support of this request, the parties respectfully represent as follows:

1. Plaintiffs filed an Amended Complaint in this matter on October 19, 2020, pleading two causes of action under 42 U.S.C. § 1983 against the Farmville Defendants. (Dkt. No. 123 at ¶¶ 413-450.) On November 16, 2020, the Farmville Defendants filed motions to dismiss those causes of action, contending *inter alia* that they are not subject to suit under 42 U.S.C. § 1983. (Dkt. Nos. 133, 136.)

2. On December 18, 2020, the Court denied these motions to dismiss without prejudice and ordered the parties to engage in a period of limited jurisdictional discovery relating to the issues raised in the motions. (Dkt. No. 153.) That period of limited jurisdictional discovery commenced on January 28, 2021, and ended on June 11, 2021. (Dkt. Nos. 162, 180.)

3. The parties now intend to cross-move for summary judgment on the threshold jurisdictional issue of whether the Farmville Defendants are subject to suit under 42 U.S.C. § 1983, and have agreed upon a proposed briefing schedule:

- a. Cross-motions for summary judgment to be filed on or before Friday, July 16, 2021;
- b. Memoranda in opposition to be filed on or before Friday, August 6, 2021;
- c. No reply memoranda to be filed; and
- d. Oral argument to be held at the convenience of the Court and the parties, on or after Friday, August 20, 2021.

4. Finally, given the voluminous record in this case, with tens of thousands of pages of documents produced by the parties and over 20 hours of depositions taken, the parties respectfully request that they be allowed to file opening briefs of up to 50 pages in length each and responsive memoranda of 40 pages in length each. This results in a total page length of 90 pages per motion, only 10 pages more than the usual number of pages provided by the Local Rules (30 + 30 + 20 = 80).

Dated: June 14, 2021

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on this date, I uploaded the foregoing, along with all attachments thereto, to this Court's CM/ECF system, which will send a Notice of Electronic Filing (NEF) to all counsel of record.

Dated: June 14, 2021

Respectfully submitted,

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